

Message Text

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ACTION SCS-06

INFO OCT-01 ARA-10 ISO-00 CA-01 H-01 HA-05 L-03 NSC-05
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FM AMEMBASSY BRASILIA
TO SECSTATE WASHDC 7123

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E.O. 11652: N/A

TAGS: CASC (DAVIS, JOHN W., JR.) BR

SUBJECT: LETTER FROM JOHN W. DAVIS JR. TO PRESIDENT CARTER

REFS: (A) BRASILIA 0203, (B) BELEM 0018

1. SUMMARY: JOHN W. DAVIS JR., WHOSE FATHER AND TWO BROTHERS WERE KILLED IN AN ATTACK ON THEIR PROPERTY IN THE STATE OF PARA, BRAZIL, BY SQUATTERS IN JULY 1976, (REFTELS AND PREVIOUS) RECENTLY REQUESTED THAT THE EMBASSY FORWARD A LETTER FROM HIM TO PRESIDENT CARTER. LETTER HAS BEEN POUCHED TO THE DEPARTMENT (ARA/ECA), WITH THE SUGGESTION THAT REPLY COME FROM THE WHITE HOUSE OR

DEPARTMENT RATHER THAN BRASILIA BECAUSE OF THE UNUSUAL NATURE OF THE CASE. END SUMMARY.

2. JOHN W. DAVIS, JR. DELIVERED LETTER FROM HIMSELF TO

PRESIDENT CARTER TO THE EMBASSY ON MARCH 29, REQUESTING IT BE FORWARDED TO THE PRESIDENT. LETTER STATES THAT (CIVIL) AUTHORITIES ARE UNABLE TO PROTECT THE DAVIS' LIVES AND AND PROPERTY IN PARA FROM SQUATTERS BECAUSE OF THE "GENERAL CHAOS" IN THAT PART OF BRAZIL. DAVIS CHARGES LOCAL CLERGY WITH INCITING THE SQUATTERS, AND CLAIMS LIMITED OFFICIAL USE

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THAT ONLY INTERVENTION BY THE BRAZILIAN ARMY CAN "SECURE THE BASIC RIGHTS OF LIFE AND PROPERTY." LETTER URGES PRESIDENT CARTER TO INTERCEDE WITH GOB TO SECURE SUCH INTERVENTION.

3. ON MARCH 27, DAVIS AND HIS SISTER EMMA CALLED ON AMCONSUL BELEM. THEY WERE PESSIMISTIC ABOUT PROSPECTS

FOR A SATISFACTORY SOLUTION TO THEIR LAND PROBLEMS, STATING LOCAL AUTHORITIES HAD ABANDONED ANY PRETENSE OF BEING ABLE TO COPE WITH SQUATTERS ON THEIR LAND. MISS DAVIS STATED THAT THEY HAVE BEEN UNABLE TO SELL THEIR LAND BECAUSE POTENTIAL BUYERS ARE SCARED OFF WHEN THEY REALIZE THE MAGNITUDE OF THE SECURITY PROBLEM.

4. MISS DAVIS SAID SHE HAD SHOWN A PORTUGUESE TRANSLATION OF JOHN DAVIS' LETTER TO GENERAL EUCLYDES FIGUEIREDO, COMMANDER OF THE 8TH MILITARY REGION (WHICH INCLUDES PARA STATE), TO SEE IF HE HAD ANY OBJECTIONS TO IT. MISS DAVIS ASSERTED THAT GEN. FIGUEIREDO MADE NO OBJECTIONS AND ENCOURAGED THE DAVISES TO SEND THE LETTER TO PRESIDENT CARTER. (FYI: THE DAVISES HAVE MAINTAINED CONTACT WITH GEN. FIGUEIREDO FOR SOME TIME--SEE SIMCOX-SYLVIO FERREIRA DA SILVA MEMCON OF DECEMBER 3, 1976. END FYI.)

5. AS DEPARTMENT IS AWARE, GEN EUCLYDES FIGUEIREDO IS THE YOUNGER BROTHER OF PRESIDENTIAL CANDIDATE GENERAL JOAO BAPTISTA FIGUEIREDO. GEN EUCLYDES, WHO WAS JUST PROMOTED TO MAJOR GENERAL

AND IS CURRENTLY AWAITING REASSIGNMENT, STRONGLY ATTACKED THE CLERGY IN A SPEECH EARLY LAST MONTH IN TERMS SIMILAR TO THOSE OF MR. DAVIS' LETTER, ASSERTING THAT UNIDENTIFIED PRIESTS IN NORTHERN LIMITED OFFICIAL USE

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BRAZIL WERE STIRRING UP THE RURAL POOR AND DISPOSSESSED. THE BRAZILIAN CATHOLIC HIERARCHY, INCLUDING THE PRESIDENT AND SECRETARY-GENERAL OF THE NATIONAL COUNCIL OF BRAZILIAN BISHOPS AND CARDINAL-ARCHBISHOP OF SAO PAULO, STRONGLY DEFENDED THE CLERGY FROM THESE ACCUSATIONS.

6. AMCONSUL BELEM REPORTS THAT NEWS OF THE DAVIS' TETTER HAS ATTRACTED UNFAVORABLE ATTENTION IN THE LOCAL (PARA) PRESS. A COLUMN IN BELEM'S LEADING DAILY BLAMES THE DAVISES FOR MUCH OF THE PROBLEM, CLAIMING THAT THEY ARE EITHER UNAWARE OF OR HAVE CHOSEN TO IGNORE BRAZILIAN LAWS GOVERNING PROPERTY RIGHTS. THE ARTICLE SAYS THAT THE FAMILY TRIED TO EXPEL THE "PREVIOUS SETTLERS" (SQUATTERS) IN A MANNER REMINISCENT OF THE AMERICAN WILD WEST, AND CLAIMS THAT THE PROBLEM DOES NOT CALL FOR A MILITARY SOLUTION. INSTEAD, THE COLUMNIST RECOMMENDS THAT THE BRAZILIAN NATIONAL INSTITUTE FOR COLONIZATION AND AGRARIAN REFORM (INCRA) STEP IN AND IMPOSE A SOLUTION, WHICH WOULD PROBABLY BE DETRIMENTAL TO THE DAVISES. A LOCAL STUDENT PUBLICATION HAS ALSO ESPOUSED THE SQUATTERS

CAUSE, CHARGING THAT THE JULY 1976 KILLINGS WERE A
RESULT OF PROVOCATION ON THE PART OF THE DAVISES.

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7. AS DEPARTMENT IS AWARE, GOB RESPONDED QUICKLY
TO REPORTED ATTACKS ON DAVIS FAMILY MEMBERS THIS
PAST JANUARY (REFTELS). AFTER BEING INFORMED OF
EMBASSY CONCERN IN THE MATTER, FOREIGN MINISTER
SILVEIRA PERSONALLY CONTACTED BOTH THE GOVERNOR AND
STATE SECURITY SECRETARY OF PARA TO REQUEST THAT
APPROPRIATE MEASURES BE TAKEN TO ASSURE THE DAVISES'
SECURITY. AS A RESULT, A CONTINGENT OF MILITARY
POLICE WAS STATIONED BOTH ON AND IN VICINITY OF THE
DAVIS PROPERTY. (FYI: MILITARY POLICE IN BRAZIL ARE
NOT REPEAT NOT A PART OF THE ARMED FORCES; THE MILITARY
POLICE ARE ORGANIZED INDEPENDENTLY BY EACH STATE AND ARE
DIRECTLY RESPONSIBLE TO CIVIL STATE AUTHORITIES. END FYI).
THIS CONTINGENT HAS REMAINED ON THE DAVIS PROPERTY, AND
WE HAVE NO REASON TO BELIEVE THAT IT WILL BE WITHDRAWN IN
THE NEAR FUTURE. IN HER MARCH 27 CONVERSATION WITH
AMCONSUL BELEM, HOWEVER, MISS DAVIS STATED THAT SHE FELT
THAT THE SIZE OF THE CONTINGENT WAS NOT SUFFICIENT TO
PROTECT BOTH THE DAVISES AND THEIR PROPERTY FROM
THREATS AND INCURSIONS BY THE SQUATTERS. AT THAT
TIME, SHE ALSO SPOKE IN FAVOR OF DIRECT MILITARY
INTERVENTION IN THE AREA.

8. COMMENT: EMBASSY BELIEVES THAT BECAUSE OF
UNUSUAL CIRCUMSTANCES AND HISTORY OF THIS SITUATION,
A REPLY TO MR. DAVIS FROM THE WHITE HOUSE,
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OR PERHAPS FROM ASSISTANT SECRETARY TODMAN, WOULD BE MORE APPROPRIATE THAN A RESPONSE FROM THE EMBASSY, WHICH HAS ALREADY COMMUNICATED FREQUENTLY WITH THE DAVISES. THE BRAZILIAN ARMY HAS REFUSED TO PLAY A COUNTINUING ROLE IN PROTECTING THE DAVIS FAMILY, ARGUING THAT IT CAN ONLY INTERVENE IN CASES INVOLVING NATIONAL SECURITY (I.E., SUBVERSIVE LINKS). WE ARE PREPARED, HOWEVER, TO KEEP MAKING KNOWN OUR CONTINUING CONCERN AND INTEREST IN THE DAVISES' SITUATION TO APPROPRIATE GOB AUTHORITIES AND, IF THIS SITUATION DETERIORATES, TO REQUEST REINFORCEMENTS FOR THE CONTINGENT OF MILITARY POLICE CURRENTLY STATIONED ON THEIR PROPERTY (WHICH IS KNOWN BY THE NAME OF CAPAZ).

9. AS MR. DAVIS STATES IN HIS LETTER TO PRESIDENT CARTER, GOB AUTHORITIES HAVE YET TO ESTABLISH FULL AND EFFECTIVE CONTROL OVER SIGNIFICANT PORTIONS OF BRAZIL'S NORTHERN REGION. THERE IS CONSIDERABLE SOCIAL UNREST IN THE AREA, MUCH OF IT RELATED TO THE PROBLEM OF SQUATTERS AND THE RURAL POOR. SOME OF THE OTHER LANDOWNERS IN THE REGION REPORTEDLY HIRE AND MAINTAIN ARMED BANDS TO PROTECT THEIR PROPERTY AND EXPEL SQUATTERS. EVEN INTERVENTION BY THE BRAZILIAN MILITARY, UNLESS IT WERE OF SIGNIFICANT SIZE AND OF UNLIMITED FURATION, COULD NOT GUARANTEE THE DAVISES' SAFETY OR PROPERTY RIGHTS. THE CONTINGENT OF MILITARY POLICE NOW ON THE DAVIS' PROPERTY WOULD PRESENTLY SEEM TO BE THE GOB'S MOST VIABLE ALTERNATIVE: HOWEVER, GIVEN THE LIMITED LAW-ENFORCEMENT RESOURCES OF THE STATE OF PARA, IT IS DOUBTFUL WHETHER STATE AUTHORITIES WILL BE WILLING TO ASSIGN THIS CONTINGENT

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INDEFINITELY TO THE DAVIS PROPERTY. THUS, THE CURX OF THE PROBLEM FOR THE DAVISES IS THAT (1) NO AMOUNT OF MILITARY POLICE PROTECTION OF THEIR HOUSE CAN PROTECT THEM FROM AMBUSHES AS THEY MOVE AROUND THEIR EXTENSIVE LANDHOLDINGS (AS HAS ALREADY BEEN DEMONSTRATED); (2) THE STATE AUTHORITIES ADMIT A RESPONSIBILITY FOR TRYING TO PROTECT THE LIVES OF THE DAVISES BUT REFUSE ANY RESPONSIBILITY FOR PREVENTING FRESH INCURSIONS ON THEIR LAND BY SQUATTERS.

10. ACTION REQUESTED: EMBASSY SUGGESTS THAT WHITE

HOUSE OR DEPARTMENT REPLY TO MR. DAVIS SHOULD EXPRESS UNDERSTANDING AND CONCERN FOR HIS PROBLEM, NOTE CONTINUING USG INTERCESSION WITH GOB ON THE DAVIS' BEHALF, BUT AVOID HOLDING OUT HOPE THAT BRAZILIAN ARMY WOULD AGREE TO STATION FORCES AT CAPAZ TO PROTECT THEM. WE ARE PESSIMISTIC THAT SOLUTION CAN BE FOUND NOW WHICH WOULD PERMIT DAVIS FAMILY TO LIVE PEACEFULLY ON THEIR LAND, SHORT OF A SETTLEMENT INVOLVING SACRIFICE OF A MAJOR PART OF THE HOLDING (WHICH FAMILY HAS REFUSED TO ENVISAGE). JOHN DAVIS, JR. SAID FAMILY IS NOW CONSIDERING MOVING OUT OF STATE TO MORE SECURE AREA, LEAVING CAPAZ IN HANDS OF BRAZILIAN MANAGER. EMBASSY CONSIDERS THIS A WISE COURSE OF ACTION AND FEELS WE SHOULD NOT ENCOURAGE DAVISES TO TICK IT OUT IN EXPECTATION OF EFFECTIVE GOB PROTECTION.
JOHNSON

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